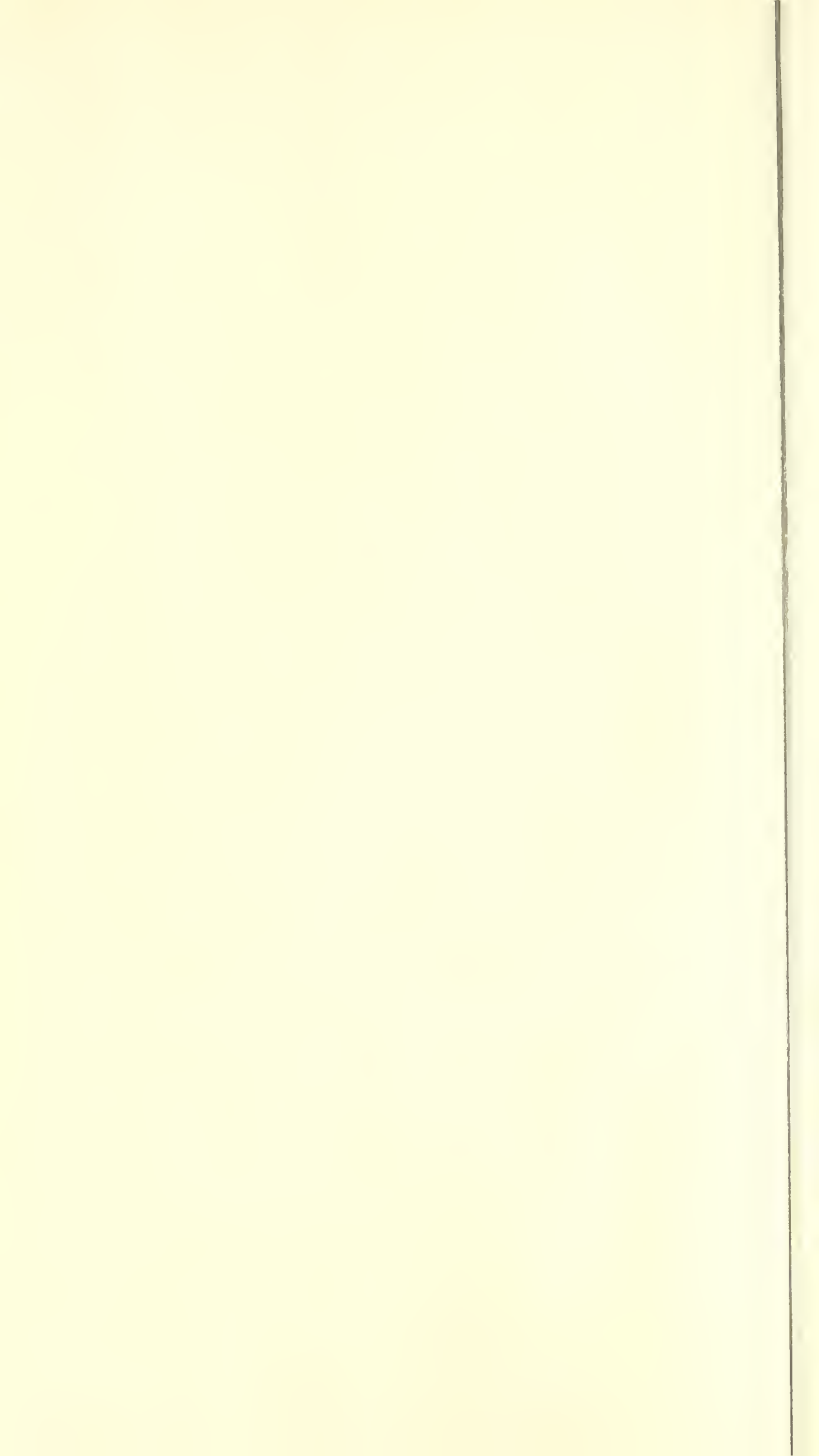
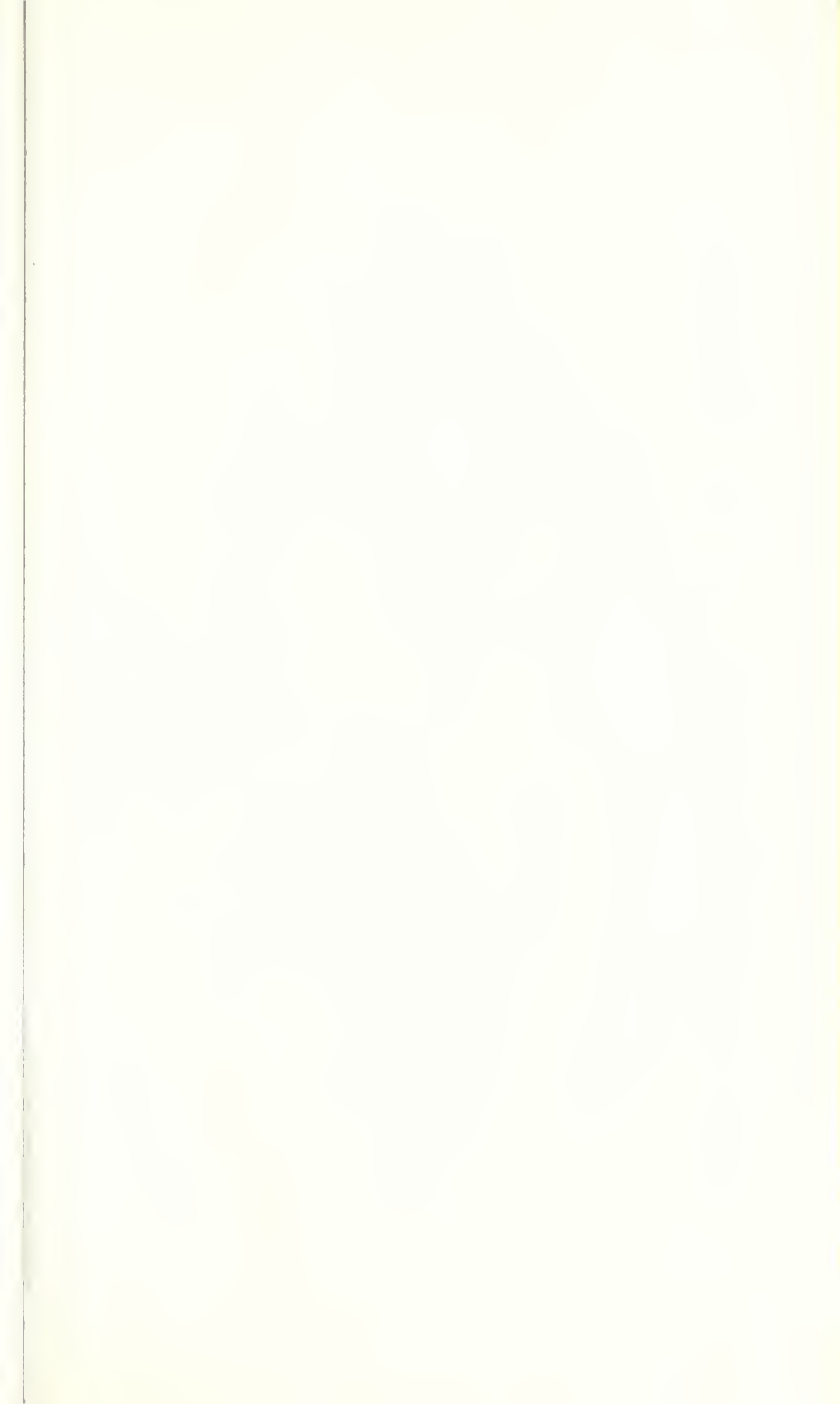


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REPLY OF THE DELEGATES

OF THE

CHEROKEE NATION

TO THE

PAMPHLET

OF THE

Commissioner of Indian Affairs.

WASHINGTON, D. C.

1886.

The allegations of the Commissioner are that our Unionism was insincere, our services rendered for a consideration, and that the rebels who fought the government were as deserving as the loyalists who defended it. Indeed, such is his language that we are led to infer he regrets we served the government. What are the notorious and palpable facts? Out of a male adult population of 4,300, at least 3,000 were in the Federal service. The losses in battle of the Union soldiers of the Cherokee nation is fifty per cent. greater than the losses of the State that lost most heavily (Kansas). Our country was made the theatre of active war to defend Kansas and Missouri from invasion. Our improvements were destroyed by both armies. Our flocks and herds taken by both armies, and also driven from our country to Kansas in enormous herds. Because we espoused the righteous cause of the government, against rebels, we are traduced by them to that government; and because we set our faces against the gigantic frauds that disgraced the Indian service, and much of the army service, we are exposed to the powerful and corrupt organizations, which, it appears, it is difficult either to check or punish. We neither can, nor will, countenance such corruption to escape its hatred. We are, indeed, a small nation, but have learned enough to know that in the rigid honor and integrity of public business alone, is the security of all government. Better to be overthrown honestly fighting a corrupt combination, than yield ourselves its willing prey.

Had we consented that your government and ours should be robbed, we would not have had to meet the charges of disloyalty. We protest against the ex-parte statement of a Commissioner who seeks his testimony from the enemies we fought in defending your government. We claim to be heard by an impartial tribunal ere we are condemned. Having furnished two-thirds of its adult male population for the armies of the United States, the Cherokee Nation cannot understand how she can be outlawed by the victory she aided in bringing about. Having received honorable discharges, after three years of hard service for the Union, her people did not understand that charges of disloyalty would then be brought against them; but if they are to be brought, they are amply prepared to meet them. Since we cannot receive the generosity which might have been given our services and sufferings, at least give us the hearing that is not denied the meanest criminal.

We will not here, or now, republish letters or documents disproving what the Commissioner assumes, although amply able to do so. The matter has reached a point, beyond which it is unnecessary to make further assertions. We respectfully demand a hearing, and the closest scrutiny into all these affairs, and the action of the Indian Bureau for the past four years. We assert, and can prove:

1st. That as Wards of the Government we were abandoned,

and that the troops, which by our treaties were to protect us, were withdrawn, leaving us to the mercy of the enemy.

2d. That the mass of our people were, and wished to be, loyal to the Government of the United States, and by our Principal Chief, John Ross, and Executive Council, declined all offers of the "Confederacy" to treat with them, until the neighboring Indian tribes, with a faction of our own citizens, were nearly all confederated with the rebel States against us, the country plunged into actual war, and the military power holding the country was threatening to make a Government out of the rebel minority in our midst.

3d. That our temporary arrangements with the rebel authority, we declare and can prove, were, when made, merely to save our people from a military power against which we had no protection.

4th. That we, the majority of our people, embraced the first opportunity to throw ourselves under the protection of the Federal Government. That we maintained our national Government under its authority. That we voluntarily abolished slavery in February, 1863, and have continued to maintain our Government to this moment.

5th. That the Indian Bureau has invaded our rights, withheld our funds, stopped our schools, compelled our Government and the judicial officers to be paid in scrip, attempted to pauperize our people in the face of our protest, and is conniving at and seeking to accomplish the destruction of our Government.

6th. That the system of supplying Indians by contract is a mere wholesale fraud, by which our funds are improperly applied, and also the funds of the Government.

7th. That the rejection of our Principal Chief, John Ross, from the Council at Fort Smith, was an act of tyranny, and was designed to deprive us of his valuable counsels to the end that the Commissioner might defraud and ruin our people, and was part of a conspiracy for that purpose.

8th. That our Agent is the enemy of our people, misrepresents them, and is in league with corporations and contractors who seek to destroy us, and is not acceptable to our people.

And we ask if this pamphlet of the Commissioner is to form a part of the records of the Indian Office, that this our answer be published with it. All we have asked of the Senate, or the Government, is searching scrutiny. Until that is given, every sentiment of justice would forbid that mere statements against us be published. If it be the business of the Indian Bureau to make and print cruelly unjust and false assertions against the civilized Indian people, its wards, we have misconceived it. If you give us the searching scrutiny we now demand, we will prove that what has been called supplies to perishing Indians, has, in our superintendency, been merely a means of dishonestly obtaining and spending money through a company as formidable as it is

corrupt. We will prove to you that the civilization of our and other Indian nations, has arisen from the abolition of *per capita* payments, and the use of the funds for government, courts of justice and education—and that the attempt to re-pauperize, is a fatal blow to the policy that has elevated us, and is designed for our destruction. We will prove to you that those who robbed us of our stock while we were defending your Government, did it through the assistance and connivance of the United States Indian officials. We will prove to you that all the charges against us are the malignant falsehoods of those bent on despoiling us.

To you, this may not be a matter of much interest. To the vindication of our honor it is indispensable. It was not the fortune of the loyal Cherokee people to carry out of the war for the Union much more than their honor, and that they desire shall remain unsullied. To this end shall we struggle until our record has its complete vindication. We know what is justly due us, and we will not accept less. We have made and maintained a free government, and we propose to prove to the American people that it is worthy of their consideration. We cannot consent to be the victims of this or that set of contractors, or railroad stock-jobbers. We expect to hold a place at least not unworthy of the civilization with which we may be surrounded. The renown gained by our gallant dead in this war, is part of the most sacred heritage of our nation. Our two Union battle-flags are in the Council Chamber of our nation, and we can never consent that these, or the honor of their defenders, shall ever be sullied. On these matters we ask our entire vindication, or demand a rigid and searching scrutiny.

We have the honor to remain

Very Respectfully, Your Obedt Servts,

SMITH CHRISTIE,

JAMES McDANIEL,

WHITE CATCHER,

S. H. BENGE,

J. B. JONES,

DAN'L H. ROSS,

*Delegates
of the
Cherokee
Nation.*

TO THE LOYAL CHEROKEE DELEGATION.

Gentlemen:—

Having seen in a report made by the Commissioner of Indian Affairs, addressed to the President, an attack upon the loyalty of the men who lately composed the 2d and 3d Indian Regiments; and having assisted in raising the 2d Regiment:

and being in command of it for a considerable time; I feel called upon to state, briefly, what I know in reference to them.

It was the intention of the Government, in March 1862, to raise the 1st and 2d Regiments from among the men who came out with Opoth-le-ho-tan and were at that time encamped at Leroy, in southern Kansas. The 1st regiment was raised there, and seven companies of the 2d also; only two of the latter, however, were of southern refugee Indians.

While at Leroy enlisting these men, we were in constant communication with the loyal portion of the Cherokees, whom you now represent, and it was then perfectly understood between us before Col. Weir's expedition had been finally decided upon, that, as soon as the U. S. troops advanced into the Nation, the loyal Indians, including Col. Drew's regiment, would join us.

They said at that time, and I believe with entire truth, that Col. Drew's regiment had been raised in order to protect the loyal portion of the Cherokees from the outrages of Stand Watie's rebel band, being inside the rebel lines and entirely within their power, it could only be raised under Confederate auspices.

With that understanding, Col. Weir's expedition advanced into the Cherokee Nation. Small parties came to us constantly. At Cabin Creek, on the 4th of July, three hundred came in, and Col. Weir placed such confidence in their sincerity and loyalty, that he sent them under Col. Ritchie as escort for a large Government train, with a number of prisoners, then on its way to Kansas. At Flat Rock on the Grand River, the remainder of the loyal Cherokees came to us. There the 3d Regiment was organized, and shortly after, when the white portion of our army under Gen. Salomon had retreated from the Nation, and the Osages and other Kansas Indians had deserted us, in that trying hour when all seemed lost, and the annihilation of our Indian regiments seemed inevitable, we raised six full companies of Cherokees to fill the places of the deserters from the 2d Regiment.

From this time forward their history is a most honorable one. For three years they fought our battles, leaving their dead on every battle-field, enduring every privation, their homes desolated and laid waste, their cattle driven off and slaughtered by thousands by our own men,—having suffered all this for our cause, our country cannot afford to disgrace itself now by impugning their loyalty in order to despoil them of a portion of their country.

Very truly Yours,

DAVID B. CORWIN,
Late Lieut. Col. 2d Ind. Reg't.

WASHINGTON CITY, D. C., 1866.

COL. WM. A. PHILLIPS :

Sir:—Permit us to call your attention to a pamphlet recently published by the Hon. Commissioner of Indian Affairs, devoted chiefly to the misrepresentation and abuse of the loyal Cherokees, their Principal Chief, John Ross, and delegation now in this City.

As this pamphlet is calculated to mislead the uninformed, to prejudice the rights of our people and otherwise do them great harm, we are forced to the necessity of offering a short reply to the Commissioner's invidious assault. As our old commander for three years during the war, and intimately acquainted with the history of our Nation, we appeal to you to defend us in the present emergency.

We feel that we may appeal to you who was first of the Federal officers to enter our country in 1862, the organizer of the loyal Indian troops, their commander for three years, and mustering out officer after the termination of hostilities, to at least give us the benefit of your testimony in the premises, and to defend, if you deem them worthy of it, our services and our loyalty.

Your compliance will much oblige Yours.

WHITE CATCHER,
DAN'L H. ROSS,
SMITH CHRISTIE,
JAMES McDANIEL,
S. H. BENGE,
J. B. JONES,

*Delegates
of the
Cherokee
Nation.*

WASHINGTON CITY, D. C., JULY 20, 1865.

TO THE DELEGATES OF THE CHEROKEE NATION :

Gentlemen:—While those to whose care the Government has intrusted you, are foremost among your traducers and oppressors, I may not hesitate in responding to the invitation to aid your just defence. It is true I have incurred some abuse by becoming your champion; but, when I reflect on the heavy debt of gratitude the Nation owes you for services in the late war, and for securing with but little aid from white troops their supremacy in the Indian Territory, I, as your commander, feel that perhaps thus I can discharge a small portion of that debt of gratitude, about which others appear to be so insensible.

Desirous that you should be impressed at once with the dignity and fairness of the Government of this great Republic, I profoundly regret that the head of that Bureau which connects it with you, should have stooped from his high position to become a pamphleteer against his wards. I had, indeed, expected that he would have considered it not the least of his duties, to see that your just rights were not imposed upon. I could have returned home, after service of four years, content that on others should rest the re-adjustment of a province that had been maintained by the sword. For my part, I had believed there were two things that this great Government could not afford to do : to despoil the weak of their property, or deprecate the services of their faithful allies. Surely the Commissioner might have regarded, as not the least among his duties, your just defence, or to be your apologist for unavoidable misfortune. Sad, indeed, must be the condition of the republic when a high official rakes the purlieus of rebellion to belittle your services and impeach your loyalty. I am mortified by the perusal of the Commissioner's fifty-eight pages of libel. With unblushing eagerness he endeavors to demonstrate that the services of our only friends were insincere, and that the men who for four years were the implacable enemies of the republic, are their superiors. Private conversations are distorted to disprove official records, which *even the Commissioner* is forced to admit cannot be impeached. With what eagerness does he introduce the *ex parte* statement of the *Aid* of the rebel leader McCulloch, to prove that the official paper sent that General was insincere. With what indecent haste does he publish a letter from a Major-General of our army and a member of Congress, the one lobbying, the other working for a railroad bill, which contemplated obtaining from the Cherokee Nation two millions of acres of its richest land, and who must overthrow the Cherokee Government to enable them to find purchasers. With what unparalleled mendacity does he give what he offers as a "*phonographic report*" of an interview between you and him, in which all that would have exhibited the true state of the case is suppressed, and whatever might serve his purposes is distorted. With what eagerness does he parade the statements of an Agent, whom the Cherokees recognize as the creature of speculators, and driven by the utter loss of confidence of the loyal men, to cultivate the good wishes of rebels by traducing to them the loyal Cherokee people. As Federal Commander in the Indian Territory, during the greater part of the war, I tendered a letter giving my evidence, urging that if other letters are used, mine should be used. Mine is rejected, and the Commissioner parades that of Douglass H. Cooper, the commanding officer of the rebel armies in my front. To such a pitiable position has the Commissioner fallen.

The Commissioner says :

"From the beginning of the war to the invasion by Col. Weir,

of the Nation, as far as I have been able to learn, not one loyal word had ever been written or spoken by any Cherokee, or by Mr. Ross."

Did the Commissioner know that he was wilfully falsifying, or does he—knowing nothing about it—give currency to such a cruel falsehood. It would not have been difficult for him to learn, that communication after communication was sent North. Some of these reached Gen. Hunter—especially the appeal from the Cherokees brought by Capt. Jas. McDaniel. One paper was sent to the Commissioner of Indian Affairs, and could have been found if Mr. Cooley had looked for it. Before the battle of "Wilson's Creek," one month, I received, with others in Kansas, a communication brought from the Cherokee Nation, giving the exact force, arms, artillery, &c., of the rebel army under McCulloch—and a letter was written communicating the facts to the Department of Missouri. Above all, the loyal Cherokees when ordered in the field in 1861 after O-poth-le-yo-ho-lo, went over and fought against the rebels. At Pea Ridge, whither they were ordered, only a small portion of the Drew Regiment went, and they did not fire a gun at the Union army. In truth, these men had then determined, if any chance was offered, to go over at that time to our army.

But look at this language from the pen of the Commissioner :

"After the soldiers had been in the rebel service ten months and remaining unpaid, unclothed, uncared for, unthanked even, services unrecognized, they were easily convinced that they were loyal, and by a slight strain on a lively imagination, they could see that they had been loyal to the United States from the first, and that they had been coerced into the rebel service, although nobody else even knew that any rebel soldier ever invaded their country or threatened it; but, on the contrary, Gen. McCulloch had promised them (and kept his promise) that they should not be invaded by the rebels unless to repel the United States army from their country."

It is difficult to realize that a man pretending to be loyal could have written the above. The rebel McCulloch's word, or rather, the statements of even worse rebels than he, is at once taken for granted, as evidence to impugn and invalidate the testimony of Union soldiers.

As the expedition under Col. Weir entered the Indian Territory, it was kept advised, from time to time, by communications from the Cherokee Nation. One loyal Cherokee woman, before it left Kansas, bore a communication to John Ross. And what was that expedition? Planned without consent of the Government, or at best premature, it started on a wild adventure without adequate means or transportation, impelled by the knowledge that a friendly people awaited us, who thus, by being induced prematurely to take open issue in our favor, were exposed to ruin. So far from Col. Weir "sending a regiment for John Ross,"

the former had been under arrest (by mutiny) for ten days, and was on his way to Kansas, and the broken debris of that little army was scattered for one hundred miles along Grand River, when an earnest appeal came to Col. Furnass and myself from John Ross' family. When these people came to our cause, they came to no assured victory. Of the communication thus passing between John Ross and the Federal army, only two men could *truly* speak—one Dr. Gilpatrick, killed in 1863 at Webber's Falls—the other the writer of this. Having led in the greater portion of those Cherokees, Mr. Cooley, and organized them under orders, I know that they embarked in what was then obviously a desperate cause, and that these people threw away all they were worth in defending it.

Nor did they come to plenty and comfort. For months they campaigned without getting a blanket. Many of these men took sick and died for lack of proper clothing and shelter. Their women and little ones, used to respectable clothing and comfortable homes, were houseless, starving fugitives. Even in 1863, the second year of their service, they suffered as few portions of the Union army suffered. Often have I fed to them from three to six ounces of wheat, per day, with beef and salt from their own nation—and yet, they worked at the fortifications and defended Fort Gibson, with a rebel army three times their number, in their front. During that eventful siege of Gibson, if my camp had contained a single disloyal element, it could not have existed a day. Had he seen them when the smoke of "Fort Davis" went up to Heaven, and when we hauled up the stripes and stars amid the enthusiasm of those gallant men, the Commissioner would have cut off his right arm ere he would have so traduced them. I have, indeed, seen the Union soldiers of many a State, have had many of them in my command, and would belittle the devotion and integrity of none of them, but more devotion to the Union cause I have never witnessed than from our loyal Indian soldiers.

When the inner history of this conspiracy against the loyal Indians is written, the infamous conduct of those who have plotted their ruin will, I hope, secure by its recoil, justice for these people. During the bitter war for the Union, where was this glib Commissioner when these gallant men he traduces were fighting for their country? Did he enter the service, even with the prospect of better pay and clothes than it was ever the fortune of the Cherokees to get? Away from danger, with the emoluments of a clerkship in Congress, he surely was not in a condition to revile the memory of hundreds of these gallant men who fought and died for freedom and the Union.

I shall not be forced, even by the grossly unjust treatment of Mr. Ross, to make this paper a mere vindication of him—I write to vindicate the Cherokee Nation—yet God forbid that I should do anything save repel the base calumnies against him.

I brought the greater part of these men to our service—and knowing, as I well do, that without his actual aid and sympathy we could not have done it. I do not hesitate to bear witness that his heart was with the Union cause. Nor does the Commissioner think him a rebel. If he had thought so, he would have hastened to make a treaty with him long ago. He has indecently hurried into a treaty with men who legally represented nothing—and with every rebel Cherokee in the city who had the single qualification of being in arms against the Government. Some of these men have not been in the nation for many years. Others are fugitives from justice. Had the Commissioner believed Mr. Ross to be a rebel, he would have treated with him long ago. The cruel treatment of Mr. Ross may end a career as useful as brilliant. I know he aided our cause; God forgive me if I forget it.

On page 14 of the Commissioner's pamphlet, he says, speaking of the Union and rebel armies in the Indian Territory:

"The depredations were reciprocal, and the black flag "seemed to be the banner under which both parties fought."

For the man, thus enjoying a government and its honors, won by brave men, to traduce its defenders, is as scandalous as it is base. Shall his high position shelter him from the contempt he merits for such dishonor to the dead? Where was he when these brave men stood and died at Newtonia, or gallantly drove the enemy up the mountains at Cane Hill? Nor is his slur that they "*scalped on either side for pay*," any truer in statement than in spirit. The Commissioner, indeed, seems to be profoundly ignorant of his wards, or the fact that these people are civilized men. Only one solitary instance of scalping ever occurred in the Union army, and it was done by one of the companies of Delawares from Kansas, in our service. When Lieut. Col. Taylor, of Stand Watie's regiment—under whom, and Jack Spears, (another officer of Watie's regiment) the scalping at Pea Ridge was done—fell at the fight on Bayou Maynard, on the 27th of July, 1862, he was scalped secretly in the dusk of the evening by some one of the Delaware company, shortly after mustered out. I never knew of one solitary case of scalping, or barbarity on the part of our Creek or Cherokee soldiers.

But, besides the soldiers, who were under orders and discipline, there were hundreds of loyal Cherokee guerillas, who fought all the time on their own hook, *without even the pretence* of "pay and allowance," Mr. Commissioner. As fast as these could be placed under the restraints and discipline of the army, it was done. One of the pamphlets—written by these rebels and paraded by the Commissioner—mentions a list of what it calls murders—which occurred during the war, chiefly by these guerillas. Nearly all of these cases were of rebel spies. They occurred during the rule of military authority in the Territory, and the civil authorities of the Cherokee Nation are in no wise

responsible. These events were marked by nothing more than characterized the war every where—yet the Commissioner refers daintily to this rebel calumny, and sends it to the Senate of the United States. In that pamphlet the rebels tell falsehoods about and insult Union officers, who fought for the Government for three years. The Commissioner makes haste to indorse them. This pamphlet is one of his "*accompanying documents*," while not a word from our loyal Cherokees is permitted to appear in this official report.

If the Commissioner is the attorney for those who seek to dismember the Cherokee Government and to despoil her of her funds and lands, let me intreat him to shelter the office he holds from the reproach of such official signatures. There is surely money enough in it to warrant the interposition of a third party. Let me suggest to him that it must cripple a position not very far above reproach, to mar it thus by such indecent partizan exhibitions. And, again, Mr. Commissioner, if the crime of which you accuse Mr. Ross, of being an insincere Union man—of having supported our cause from selfish motives—if this iniquity had been true, and so deep in your estimation as to expose the property of his whole people to official pillage, and a Government worthy of the support and admiration of civilized men to ruin and overthrow—if this be the punishment of such crime, what punishment, think you, Mr. Commissioner, is due the man who would try to make a treaty with irresponsible rebels representing nothing—men who fought the Government to the last—and who sought to buy your consideration, by the ruin of their country?

At the close of this great war, had a Commission, animated like Mr. Cooley and Mr. Sells, entered the States of Tennessee, Virginia and Kentucky, and sat in judgment on the acts of the men who had maintained the Federal cause—had they excluded from their confidence all loyal men, and sent for the most bitter and implacable rebels—listened to all the venom they had to utter against these loyal men—encouraged them in denouncing the "*outrages*" of loyal men—glibly said that "*these parties committed mutual depredations, and sailed under the black flag*,"—heard distorted reports of speeches made under duress, to save, in times of terrible peril, from death and ruin, and accepted the full meaning of these, as more than an offset for years of valuable service—had such Commissioners treated us to a rehash of every Yankee schoolmaster that had been hung or tarred and feathered for twenty years in these States, and then philosophically determined that "*humanity forbid such people from being placed under one government*,"—we would have had the exact counterpart of the Commissioner's "*Cherokee question*."

It is possible, Mr. Commissioner, that the Government may never again be plunged into war. In the moment of victory, it is a happy temperament that can shut out from its comprehension

the possibility of it. Still, all the lessons of history teach us that a *sacred good faith* can never be broken with impunity. Had the policy the Commissioner now pursues been followed during the war, he would now have no power to break the faith of implied obligations. A more catholic spirit, and a wiser diplomacy happily prevailed—and instead of being obliged to keep an army of ten thousand men to defend our south-western frontier, we found, and organized in the Cherokee and Creek Nations, and under the influence of their free Governments, a little loyal army of thirty-five hundred men, that kept in check the Choctaws and Chickasaws, all rebels, and the portion of rebel Creeks and Cherokees. And further, the little army at Gibson had twice as many Texans to fight as it had white soldiers.

The Cherokee Government, holding the regular sessions of its Legislature,—abolishing slavery,—fully up to the political standard of the times, and maintaining our cause, gave all the resources of their Nation to the struggle.

It was intimated by the Commissioner, that the Cherokees fought for us for pecuniary considerations. What are the facts? They abandoned their homes and property to enter the Federal service. Each man brought his arms, horse and accoutrements—and for the use and destruction of over three thousand horses in our service, they were never paid. While campaigning in Missouri in 1862, they were armed with more efficient and uniform arms, and for want of transportation their own arms were destroyed. They were never paid for them. During one half of their term of service, owing to their exposed condition in front, they had about half rations *without commutation*. The rebels stole their property in front, and their loyal friends stole it in the rear. Their country was seared by the desolation of war. Their public buildings in Tah-le-quah were destroyed by the enemy—the beautiful residence of their Chief, John Ross, laid in ashes by Stand Watie. Their funds were withheld by harpies who squandered them in fraudulent contracts. Their schools could not be kept. The Legislature that abolished slavery, paid in scrip, not yet redeemed. And now at the close of the war, when every sentiment of law and decency would require that the property of the Cherokee Nation be paid to it as its treaties require, those who have eaten it for four years, charge them with having been rebels; and as a fitting punishment for such crime, that the Cherokee free government be broken up, and its funds and lands be divided so as to be placed in the disposal of the wretched harpies who have been fattening on it. That such impudent assumptions should not procure dishonorable dismissal from office of those making them, is the most significant commentary on the deplorable condition of affairs.

I regret to be compelled to say that three-fourths of the statements of the Commissioner, in his pamphlet, are incorrect. It is not true they refused to treat for the reasons he gives.

They offered to concede more than they ought to have been asked to concede. The only real point of divergence, was setting up a government for the rebel minority in their midst. After giving three thousand men to maintain the integrity of the Federal Union, they protested against giving the rebel minority in their own country a separate government. It is not true that the Commissioner tried to obey his orders by inducing the rebels to go home. It is not true "that he found no one person dissenting from his opinions, but the Ross delegation." It is not true, that they insisted on retaining 380 acres of land for each person. They insisted simply on having their own. It is not true that he offered them a fair consideration for it. It is not true that they refused to make any grants to railroads. But it is true that they insist—as they have a right to do—on proper considerations. It is not true that Mr. Cooley banished Mr. Ross from the Council because he believed him to be a secessionist—because he took in the most bitter rebels there. It is not true that Mr. Ross' "zeal and activity forsook him when he reached the Union lines." It is not true that when "Col. Weir invaded the Cherokee Nation, Mr. Ross refused to have an interview with him." It is not true that Col. Weir got such a letter as the Commissioner speaks of from Mr. Ross. It is not true that Col. Weir sent a regiment after Mr. Ross. It is not true that "want of power and authority" was the only objection of the Cherokee delegation at Fort Smith. But why enumerate all the misstatements of the Commissioner's pamphlet? It is a hapless tissue of misrepresentation.

But had it all been true, Mr. Commissioner, would it have justified an invasion of Cherokee rights?

If the Commissioner is sorry that they were loyal, he must at least remember that the Act of Congress of 1862, only gave the President power to issue a proclamation declaring the rights of the Nations that had participated in the rebellion, forfeited, if it could be done, in law or equity. Whether it could or not, President Lincoln resolutely refused to do it. There is not much likelihood that President Johnson will do it now—especially against the allies of the Government.

The assumptions, therefore, of the Commissioner, do as much violence to law and equity, as his statements do to fact. If there is a tribunal before which he could be indicted, there are subjects matter for the demolition of twenty Commissioners.

What a stupendous farce is our whole Indian diplomacy! It is little better than an institution for obtaining land on false pretences, and carrying on a system of jobbing to the tune of fifty per cent., in what we are pleased to call Indian annuities. If such enormities were perpetrated against the negroes, the nation would groan against it. The Commissioner speaks of the "Patriot O-poth-le-yo-ho-lo," and buys the land of the Creeks, (worth a dollar an acre,) for thirty cents, and sells part of it

back to the Seminoles for fifty in the next breath—having bought theirs for little more than fifteen. He removes them about from their improved farms,—for which improvements he gives them no adequate compensation,—and having done his best to break them up and ruin them, proposes pauperizing them by “*per capita*” payments. His “plan,” in fact, exhibits such utter ignorance of the Indian country and character, and such a disregard for the spirit of justice—and in sowing the seed of discord and pauperism, exhibits such botchwork and deplorable disregard for the true interests of the Government and the Indians, that at least one of the enemies of the Indian people will never be able, in a fit of remorse, to blow his brains out.

I have more faith in the Government than to believe it contemplates seizing the property of the Cherokee Nation. Is their weakness the strongest reason for despoiling them? If we have not the greatness to foster their interesting Government, surely we can have the honesty to let it alone. But, are we to encourage the complaints of every grumbler against it, or of every criminal escaping from its justice? We may hope “the Indians will die out speedily,” and inwardly wish they would be quicker about it. We may refuse to believe that they are civilized, or secretly wish they were less so—but rising from the bloody incidents of a glorious history, posterity will see a little nation maintaining a free Government, with a language, a literature—even an *alphabet* of their own, enthusiastically engaging with three-fourths of their grown men, in our war for the Union,—impoverished in our cause; and looking at the advent of peace, instead of seeing a great Government seeking to reward the soldiers who served her, to “bind up the wounds—to take care of the orphans and impoverished,”—they will see the Indian Bureau bringing to Washington the most bitter rebels these men had been fighting for years, as witnesses against them, and seeking with eager eyes the disruption and overthrow of the ally that fought for and trusted the Government.

Very Respectfully,

Your Ob't Serv't,

WM. A. PHILLIPS.



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